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C O N F I D E N T I A L SECTION 01 OF 02 MONROVIA 000619

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SUBJECT: LIBERIAN SENATE SUSPENDS PRESIDENT PRO TEMPORE FOR SIX MONTHS

Classified By: CDA Brooks Robinson for reasons 1.4 B and D.

11. (C) SUMMARY. President Pro Tempore of the Senate Isaac Nyenabo was suspended for six months by a simple majority motion, after a resolution calling for his removal from office failed to get the necessary two-thirds vote. He is accused of allowing the Senate to be a puppet of the Executive Branch. Nyenabo argues that his close relationship with President Sirleaf has allowed both the Senate and the Executive Branch to better serve the Liberian people and that Charles Taylor's supporters are attempting to remove him from power for their own political agenda. Nyenabo has vowed to challenge his suspension on the grounds that there is no provision for suspensions in either the Constitution or Liberia's Senate Standing Rules. Even if he is successful in getting his suspension annulled, Nyenabo will still face an uphill battle regaining the confidence of his colleagues and his ability to lead after such a censure. END SUMMARY.

12. (U) On August 5, members of the Liberian Senate approved a motion to suspend President Pro Tempore Isaac Nyenabo (Grand Gedeh County - National Democratic Party of Liberia) for six months for "poor leadership." An earlier petition to remove him from office failed to get the required two-thirds vote (it received 17 out of 30 votes), so its authors decided to pursue the suspension as an alternative. During his suspension, Nyenabo will continue to serve as a Senator, but Gloria Musu Scott, Chairperson of the Senate Committee on the Executive, is expected to conduct the affairs of the Senate in consultation with Vice President Joseph Boakai (in his capacity as President of the Senate).

13. (SBU) Senator Lahai Lasannah (Bomi County - National Democratic Party of Liberia) drafted the resolution calling for the removal of Nyenabo for "administrative inadequacies" and "bringing the integrity and credibility of the Senate into question and impugning its moral rectitude." The toughly-worded resolution labeled Nyenabo as a "pathological liar." Lasannah has consistently accused Nyenabo of allowing the Senate to be an extension of the Executive Branch and not an independent body providing real checks and balances. Lasannah told PolAsst that he and his colleagues are so dissatisfied with Nyenabo's lack of leadership that they will seek to remove him from office again after he serves his six-month suspension.

14. (C) President Sirleaf, in an attempt to intervene and avert the removal of Nyenabo, called all members of the Senate to her office July 31 in a bid to convince them not to vote him out. The President's Unity Party called upon its members to vote against the resolution as well. Unity Party Secretary General and Assistant Foreign Minister for Afro-Asian Affairs Henry B. Fahnbulleh told PolAsst August 5 that the party will take action against its members who signed the resolution (particularly Theodore Momo and Daniel Naatehn who are both from Gbarpolu County).

15. (C) Allegations of corruption are already circulating surrounding Nyenabo's suspension. Senator Abel Massaley told

PolAsst July 31 that Lasannah wanted to remove Nyenabo because he failed to share a \$50,000 "inducement" Defense Minister Brownie Samukai sent over to have the Senate pass the Ministry of Defense's budget. Senator Clarice Jah told PolAsst July 31 that Minister Samukai had offered her an envelope containing \$400 in exchange for removing her name from the petition to remove Nyenabo. Jah told PolAsst she refused Samukai's offer because she seriously disapproved of Nyenabo's lack of leadership and wanted him out as President Pro Tempore. Jah confirmed, however, that other unnamed Senators accepted the Minister's deal. In the end, the petitioners lost three signatures (20 down to 17), which cost them the two-thirds vote necessary to remove Nyenabo. (Note: If found valid, the motion for a six-month suspension required only a simple majority to pass. See next paragraph.)

¶6. (C) Senator Nyenabo told Charge August 11 that Charles Taylor's supporters were attempting to remove him because of his close working relationship with President Sirleaf. He argued that his close personal relationship with Sirleaf has helped both the Senate and the Executive Branch serve the Liberian people better. Nyenabo said he would challenge the validity of the suspension because the Liberian Senate Standing Rules make no provision for suspending a sitting President Pro Tempore. He also said that the suspension "violated" Articles 47, 49, 62, and 71 of the Liberian Constitution. (COMMENT: Those articles deal with the removal of the Pro Tempore (not suspension), removal of the Speaker of the House, impeachment of the President or Vice President, and impeachment of the Chief Justice, respectively. Our reading of the Constitution leads us to believe that the suspension is not violating any of those provisions. The

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issue of suspension is simply not addressed at all in them.
END COMMENT.)

COMMENT

¶7. (C) Nyenabo will challenge his suspension and he may ultimately win, but he will still face an uphill battle regaining the confidence of his colleagues and his ability to lead after such a damaging censure. Ongoing problems with leadership and ethics in the Legislature make the case for continued USAID legislative support and a stronger emphasis on ethics through House Democracy Assistance Commission training.
ROBINSON